

REMARKS

The Examiner stated that a decoding codebook was "never mentioned in the specification of the disclosure." This statement is factually incorrect. Applicant respectfully directs the Examiner's attention to the following locations in the Specification as originally filed: paragraphs 19 and 32, Figure 2 at block 210 ("client generates decoding code book for entropy coding"), and original claim 6. Accordingly, Applicant respectfully requests the Examiner acknowledge *on the record* that a decoding codebook was described in the originally-filed Specification.

Rejections

Rejections under 35 U.S.C. § 103

Claims 1-5, 7, 10-14, 16, 19-24 and 27-28 stand rejected under 35 U.S.C. § 103(a) over the combination of U.S. Patent 6,083,276 to Davidson et al., U.S. Patent 6,593,936 to Huang et al., and U.S. Patent 6,400,996 to Hoffberg et al. Huang and Hoffberg qualify as prior art only under 35 U.S.C. § 102(e) because they issued after Applicant's filing date. Applicant does not admit that either Huang or Hoffberg are prior art, and reserves the right to swear behind either reference at a later date.

Davidson discloses creating and configuring component-based applications. An application description file (ADF) defines a component-based application using a descriptive application language (ADL). The ADF is an XML-compliant text document and the ADL defines a set of markup tags that represent the components in the ADF.

The Examiner is equating Applicant's claimed ADL with Davidson's ADL. However, Applicant's ADL is defined in the preamble as a subset of MPEG-7's data description language (DDL). Davidson does not teach or even suggest that his ADL is a subset of MPEG-7 DDL. Applicant respectfully reminds the Examiner that a statement in the preamble that limit the structure of the subject matter of the claim must be considered a claim limitation [MPEP 2111.02]. Thus, Davidson's ADL cannot be properly interpreted as equivalent to Applicant's claim ADL. Furthermore, Davidson does not teach or suggest his ADL can be translated into binary for communication. Instead, Davidson discloses that an ADF can be parsed into a ADL parse tree. These are not equivalent operations. Finally, Davidson does not disclose the use of an XSLT (XML-

style translation) document to translate MPEG-7 DDL into ADL as claimed by Application because 1) Davidson contains no mention of XSLT, 2) Davidson contains no mention of MPEG-7 or MPEG-7 DDL, and 3) Davidson's ADL is not equivalent to Applicant's claimed ADL.

Huang discloses the use of MPEG-7 description schemes to search for content in an MPEG-4 data stream. The Examiner asserts that Huang inherently teaches translating a binary communication into an ADL using a frequency table as claimed. The Examiner states 1) because the MPEG-7 data is located in MPEG-4 data stream, it must be encoded/decoded in the same fashion as the MPEG-4 data, and 2) since the MPEG-4 data is encoded using entropy encoding, it is inherent that the corresponding MPEG-7 data be encoding using a frequency table as well.

However, as well known in the art, the MPEG-7 description schemes do not have to sent in the same data stream with the corresponding content. Indeed, Huang states that the MPEG-7 description schemes are generated from the corresponding content and then stored for later use, but Huang makes no mention of transmitting the MPEG-7 description schemes in the same data stream as MPEG-4 data. Because Huang does not teach or even suggest that MPEG-7 must be encoded in the same fashion as MPEG-4, Applicant respectfully challenges the Examiner's statement that Applicant's claim limitation is inherently taught by Huang. Therefore, if the Examiner continues to maintain his rejection under the principal of inherency, Applicant respectfully requests the Examiner supply references in support of his position in the next office action [MPEP 2112].

Hoffman discloses a pattern recognition system. The Examiner is relying on Hoffman as disclosing a codebook based on a frequency table as claimed. However, Hoffman mentions using a hierarchical codebook search but does not define the codebook or describe how it is created.

Because none of the references teach or suggest Applicant's claimed limitations as asserted by the Examiner, the combination of Davidson, Huang and Hoffman cannot render obvious Applicant's invention as claimed in claims 1-5, 7, 10-14, 16, 19-24 and 27-28. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103 over the combination of Davidson, Huang and Hoffman.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 8, 9, 17, 18, 25 and 26 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended. Applicant submits that all the claims are allowable and thus has not so amended the claims at this time.

SUMMARY

Claims 1-5, 7-14 and 16-28 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

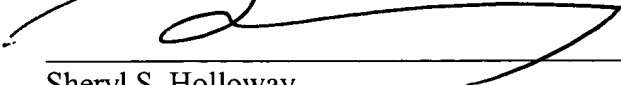
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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